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BEFORE THE ARIZONA CORPORATION COMMISSION  
Arizona Corporation Commission

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AZ CORP COMMISSION  
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IN THE MATTER OF

DOCKET NO. S-03450A-02-0000

Philip William Merrill  
3788 N. 156th Drive  
Goodyear, AZ 85338  
CRD#2436444

Respondent

)  
) APPLICATION FOR ISSUANCE OF  
) A SUBPOENA FOR ATTENDANCE  
) OF A WITNESS AT THE HEARING  
) OF THIS MATTER  
)

Respondent hereby applies for the issuance of a subpoena for Janet M. Mayfield of Goodyear, Arizona, to appear at the hearing of this matter which commences of August 26, 2002.

Janet M. Mayfield was a customer of the respondent while he was a registered representative at Morgan Stanley Dean Witter. In the charges against the respondent it is claimed that he handled Janet M. Mayfield's account improperly and seeks remedies against respondent for that alleged conduct. Anthony Bingham, attorney for the Corporation Commission handling this matter has advised respondent's counsel that he will not call Janet M. Mayfield as a witness but rather will obtain her testimony from hearsay statements she made to her daughter and an investigator for the Securities Division, both of whom have been listed as witnesses. Respondent's counsel feels this method of proceeding is improper and wants to have Janet M. Mayfield's testimony presented by Janet M. Mayfield not by others through hearsay statements.

Respondent's only way to present the direct testimony of Janet M. Mayfield is to subpoena her as a witness since Mr. Bingham will not have her present. For this reason the subpoena needs to be issued.

Dated this 12th day of August, 2002



Frank Lewis (SB # 000909)  
Begam Lewis Marks & Wolfe  
Attorney for Respondent  
111 W. Monroe #1400  
Phoenix, AZ 85003  
602-254-6071

Original and ten copies  
of the foregoing hand-delivered  
this 12 day of August, 2002

Docket Control  
Arizona Corporation Commission  
1200 W. Washington, Phoenix,  
Aizona, 85007

and

copy of the foregoing  
delivered this 12th day  
of August, 2002 along with  
a copy of the proposed  
subpoena to Anthony Bingham  
1300 West Washington, Phoenix,  
Arizona



Frank Lewis